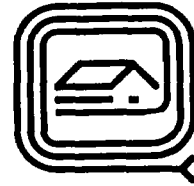


Ohio Historic Preservation Office

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February 2, 2005

Ron Linton
Environmental and Performance Assessment Branch
Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Docket No. 70-7004, American Centrifuge Commercial Plant
Portsmouth Gaseous Diffusion Plant (PORTS), Pike County, Ohio

Dear Mr. Linton,

This is in response to correspondence from your office dated December 28, 2004 (received January 3) regarding the above referenced project. The comments of the Ohio Historic Preservation Office (OHPO) are submitted in accordance with provisions of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 [36 CFR 800]); the Department of Energy serves as the lead federal agency.

Your correspondence initiates consultation by the Nuclear Regulatory Commission (NRC) for the above referenced project. We acknowledge that the NRC will be following regulations at 36 CFR 800.8 in the review process integrating the Section 106 review with the development of the Environmental Report (ER) for this project. Your correspondence also requests information on consulting parties.

This office has previously reviewed information on the proposed project and has responded to the position that the proposed new construction will include buildings of similar design and size to the nearby buildings and that there will be similar functions carried out in these new buildings. Given the available information on the size, design, and function of the existing and the proposed buildings, we were able to offer our opinion that the proposed project will not adversely affect the Portsmouth Gaseous Diffusion Plant historic property.

As you are aware, private citizens have raised concerns about the potential for this project to affect historic properties, including prehistoric archaeological sites. The National Historic Preservation Act encourages federal agencies to include comments and concerns from the public throughout the Section 106 review process.

In addition to other consulting parties that your agency may have identified, we recommend that you consider notifying Native American Federally-Recognized Tribal authorities that are historically associated with south-central Ohio and may have information on historic properties in this area. Attached please find a partial list of Tribes with historical ties to Ohio. We believe that this list may be helpful in finalizing your list of potential consulting parties to whom you will be providing notification of the project.

I think that it is important for you to clearly convey to consulting parties and to the public the extent of the efforts to identify historic properties and to assess the potential for the project to adversely affect historic properties. I am concerned that the discussions in your correspondence and in the attached sections from the draft ER should be clearer and more precise. For example, the archaeological surveys were not preliminary, but their conclusions are preliminary and we are still working at interpreting the results and developing a consensus on the findings. In some cases it might be appropriate to describe an archaeological survey as preliminary, especially when the primary objective of the work for a survey is to

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lay the ground work for the next phase of an intended and expected survey. The predictive model work that you reference might be described as preliminary but it also provides important information on the distribution of known sites in the vicinity of the Portsmouth Gaseous Diffusion Plant. Also, at least one additional archaeological study has been conducted within the facility at archaeological site 33-PK-210. This study may not be relevant to this project, but language in the draft ER might lead some to conclude that all of the previous archaeological work is referenced rather than only a portion of the previously completed work. The survey methods employed in the predictive model work are likely quite different from the survey methods employed in identification efforts.

I think that it would be more helpful to describe the conclusions of the Schweikart 1997 archaeological survey as recommendations, not as determinations. In the past we have encountered some confusion in descriptions of known archaeological sites both within and in the general area surrounding the facility. For example, not all archaeological sites with prehistoric components are burial grounds and many archaeological sites are quite small, less than 100 square meters.

Similar kinds of concerns could also be raised concerning the presentation of the information on architectural properties in the Environmental Report.

In summary, it would be helpful for the documentation to provide greater clarity and to provide greater precision to facilitate the integration the discussions on archaeological sites, architectural properties, and other kinds of cultural resources within the overall assessment of effects.

Any questions concerning this matter should be addressed to David Snyder at (614) 298-2000, between the hours of 8 am. to 5 pm. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "David Snyder". The signature is written in a cursive, flowing style.

David Snyder, Archaeology Reviews Manager
Resource Protection and Review

DMS/ds (OHPO Serial Number 105834)

Enclosure

To assist you in the event that consultation with federally recognized tribal authorities is needed, OHPO maintains a list of federally recognized tribal authorities including listings from the Bureau of Indian's Affairs' Tribal Leaders Directory. This list is not all-inclusive; it represents a first step in developing procedures to address issues of disposition and repatriation. There are currently no federally recognized tribal authorities in Ohio since Ohio does not have any Native American Reservations or Land. However, there are many active Native American groups and organizations in Ohio. Also, in some cases, the Ohio Historic Preservation Office may be able to assist agencies and individuals contact individuals who have expressed an interest in the issues involving reburial. If the need develops we can provide assistance to get you started in compiling a list of interested parties.

Endnote. For further information, you may wish to contact the following:

Tim McKeown, National Center for Cultural Resources, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127, (202) 343-1142

Francis McManamon, National Center for Cultural Resources, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127, (202) 343-4101

The following are representatives of Federally-recognized Tribal Authorities of some tribes having historic connections to Ohio (based on the Tribal Leaders Directory, Bureau of Indian Affairs, Division of Tribal Government Services, January 1992 - for more information phone: 202/208-4400):

Mr. James Leaffe, Chief
Cayuga Nation
P.O. Box 11
Versailles, NY 14168
Attn: Mr. Clint Halftown, THPO
Representative
Telephone: 716-532-4847

Cherokee Nation of Oklahoma
P.O. Box 948
Ada, OK 74820

Turtle Mountain Band of Chippewa Indians
P.O. Box 900
Belcourt, ND 58316
Attn: Mr. Kade M. Ferris, Tribal Historic
Preservation Officer, Office of
Archaeology and Historic
Preservation
THPO: Mr. Kade M. Ferris

Mr. Bruce Gonzales, President
Delaware Tribe of Western Oklahoma
P.O. Box 825
Anardarko, OK 73005
Attn: Ms. Tamara Francis, Delaware
Nation NAGPRA Office
Telephone: 405-247-2448
FAX: 405-247-9393
Email: aapanahkih@westerndelaware.nsn.us

Mr. John Pryor, Executive Officer
Miami Tribe of Oklahoma
P.O. Box 1326
202 South Eight Tribes Trail
Miami, OK 74355
Attn: Ms. Julie Olds, THPO
THPO: Ms. Julie Olds
Telephone: 918-542-1445 X16 (Olds)
FAX: 918-542-7260
Email: jolds@miamination.com

Mr. Charles Todd, Chief
Ottawa Tribe of Oklahoma
P.O. Box 110
Miami, OK 74355
Attn: Mr. Roy Ross
Telephone: 918-540-1536
FAX: 918-542-3214

Mr. John P. Froman, Chief
Peoria Tribe of Oklahoma
P.O. Box 1527
118 S. Eight Tribes Trail
Miami, OK 74355
Attn: Mr. Bud Ellis, Repatriation
Committee Chairman
Telephone: 918-540-2535
FAX: 918-540-2538

Mr. Harold Frank, Chairperson
Forest County Potawatomi
P.O. Box 340
Community of Wisconsin Potawatomi
Crandon, WI 54520
Attn: Ms. Clarice M. Werle, NAGPRA
Contact
Telephone: 715-478-7381 (Werle)
FAX: 715-478-7385

Mr. John A. Barrett, Jr., Chairperson
Citizen Potawatomi Nation
1601 S. Gordon Cooper Drive
Shawnee, OK 74801
Attn: Mr. Jeremy Finch
Telephone: 405-275-3121
FAX: 405-275-0198
800 Number: 800-880-9880

Mr. Calvin John, President
Seneca Nation of Indians
P.O. Box 231
Salamanca, NY 14779
Attn: Ms. Kathleen Mitchell, THPO
THPO: Ms. Kathleen Mitchell
Telephone: 716-945-9427
FAX: 716-945-1989
Email: snithpo@netscape.net

Mr. Jerry Dilliner, Chief
Seneca-Cayuga Tribe of Oklahoma
P.O. Box 1283
R2301 E. Steve Owens Blvd.
Miami, OK 74355
Attn: Mr. Paul Barton
Telephone: 918-542-6609
FAX: 918-542-3684
Email: maimit5@onenet.net

Mr. Charles D. Enyart, Chief
Eastern Shawnee Tribe of Oklahoma
P.O. Box 350
Seneca, MO 64865
Attn: R.C. Kisse
Telephone: 918-666-2435 X241
FAX: 918-666-3325
Email: estochief@hotmail.com

Mr. James Squirrel
Loyal Shawnee Tribe
Route 4, Box 30
Jay, OK 74346

Mr. Kenneth Daugherty, Tribal Secretary
Absentee-Shawnee Tribe of Oklahoma
2025 S. Gordon Cooper Drive
Shawnee, OK 74801-9381
Attn: Ms. Karen Kaniatobe
Telephone: 405-275-4030 X124
FAX: 405-275-1922
Email: jenniferm@astribe.com

Mr. Leaford Bearskin, Chief
Wyandotte Nation
P.O. Box 250
Wyandotte, OK 74370
Attn: Ms. Sherri Clemons